

**ARKANSAS PROFESSIONAL BAIL BOND COMPANY AND PROFESSIONAL
BAIL BONDSMAN LICENSING BOARD
April 14, 2006**

Chairman Don Smith called the meeting to order at 9:00 a.m.

Roll call was taken. The following members were present: Don Smith, Marc Oudin, Eugene Reynolds, Phyllis Carruth, and Rex Morris. Frank Sturgeon and Lynn Williams were absent. Also present were Assistant Attorney General Larry Crain; Executive Director, Tommy Reed; Board staff and members of the audience.

Following a review of the Board Minutes for March 10, 2006 Mr. Oudin moved to approve the minutes as presented. Ms. Carruth seconded. The motion carried on unanimous voice vote.

OLD BUSINESS

Transfers/Suspensions/Reinstatements:

A report was provided for information purposes: No transfer requests were submitted during the month. Holt Bonding Co. was suspended for failure to pay a forfeiture judgment. Seven (7) agents licensed by Holt were suspended as a result of the company suspension. It was noted that Bill's Bail Bonds were listed as suspended in the packet sent to the Board prior the meeting. Mr. Reed explained that the company license was to have been suspended on the Friday the preliminary Board packet was prepared but the company had provided sufficient documentation to prevent the suspension; however, the packet had already been mailed. He noted they were currently licensed.

Mr. Oudin asked about Holt's suspension. Mr. Reed verified the company was suspended and noted the company had a problem with an agent which resulted in the suspension. Mr. Reed stated he had no knowledge of whether Holt would survive.

Forfeitures - Open:

The Open Forfeiture Report was presented. The Chair invited comment or discussion. Chairman Smith noted the large number of judgments against Bill's Bail Bonds. Mr. Reed advised the Board he had sent a 10 day notice to Manuel Bail Bond Co. on the \$100,000 judgment entered in Ouachita County after learning their motion to set aside had been denied. After discussion of the situation, the Chair opened the floor for motions. Mr. Oudin moved to suspend those licensees whose forfeitures were not timely paid between April 14, 2006 and the May 12, 2006 regular board meeting. Ms. Carruth seconded. The Chair called for discussion; there was no further discussion. The motion carried on unanimous voice vote.

Past Due Forfeitures:

The Past Due Forfeiture Report was presented for review. The Chair invited comment or discussion. Mr. Reed noted that he had been unable to disburse funds in payment of Liz and Stan's Bail Bonds judgments but that he anticipated he could begin payment soon. Mr. Morris asked how much of the security deposit remained. Mr. Reed advised that there were sufficient judgments presented to use the entire \$100,000. After discussion of the matter, the Board proceeded.

1 **NEW BUSINESS**

2
3 **March Vouchers Paid**

4 A report of payments made in March was provided for information purposes. Mr. Reed noted the
5 purchase of the car for the investigator and that it had already been put to good use. Chairman
6 Smith invited questions and/or discussion regarding the vouchers paid. There were no questions
7 or comments and the Board proceeded.
8

9 **License Approvals:**

10 Five (5) bondsman license applications and thirteen (13) tentative bondsman applications were
11 submitted for Board approval. Mr. Oudin moved to approve those applications as presented,
12 pending receipt and approval of necessary documentation. Mr. Reynolds seconded. The Chair
13 called for discussion or comments; hearing none, the matter was put to a vote. The motion carried
14 with none opposed.
15

16 Mr. Reed noted a change in procedure regarding bondsman applications whose background
17 checks indicated arrests or convictions. Prior to the change, such an application would have been
18 submitted to the Board for "consideration" by the Board and the applicant would have been told
19 he should be present to answer questions. However, the better practice is for the Executive
20 Director to approve or deny the application as provided by Section 15(H) of Rule 1. If the
21 application is denied, the applicant is notified in writing of the denial and of the right of appeal to
22 the Board for a hearing.
23

24 **Stipend & Expense Reimbursement**

25 Ark. Code Ann §§25-16-902 & 25-16-904 provide that the Board may, by majority vote at the
26 first regularly scheduled meeting of each year, authorize expense reimbursement and payment of
27 a stipend. Mr. Reed noted his failure to bring this matter before the Board in January and offered
28 his apology. He noted the advice of a director of another agency to prepare a January agenda that
29 included the stipend/reimbursement action and use it each year as a reminder.
30

31 The Chair opened the floor for motions. Ms. Carruth moved to accept the stipend and
32 reimbursement as provided by statute. Mr. Oudin seconded. The Chair called for discussion.
33 There being none, the matter was put to a vote. The motion carried.
34

35 **Other business:**

36 The Board inquired whether there was further business before the Board. Mr. Morris asked Mr.
37 Reed for an up-date on certain disciplinary matters pending before the Board. The Board was
38 advised that, in cases where a bondsman has been charged with criminal offenses that would
39 disqualify the bondsman for a license, a file would be opened but no action would be taken
40 pending the resolution of the criminal matter. There was discussion of a matter in the newspaper
41 recently regarding the arrest of a bondsman. The discussion centered around whether the matter
42 involved a direct violation of a bail bond rule or regulation as opposed to a matter that was merely
43 a criminal offense. Tom Nickolich noted the distinction between the specific matters.
44

45 Mr. Reed advised the Board he was monitoring the cases and would bring the matters before the
46 Board at the appropriate time. Larry Crain, Asst. Atty. General, advised the Board against
47 discussions of newspaper accounts or events that could possibly come before the Board in a
48 disciplinary hearing.

1 **Hearings**

2 After a short break, Chairman Smith, sitting as Hearing Officer, conducted the following hearing.

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5 **APPBLB #06-026**
6 **In Re: David Bowser**
7

8 At the conclusion of the hearing, the Board resumed its business.
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10 **Public Comments:**

11 Chairman Smith opened the floor for public comments. There were no comments or discussion
12 and the meeting was adjourned.
13

14 Submitted for approval: This 12th day of May 2006, _____

15 Don Smith, Chairman